

103^D CONGRESS
1ST SESSION

H. R. 1596

To amend title 10, United States Code, to provide that certain individuals who would otherwise be eligible for military retired pay for nonregular service but who did not serve on active duty during a period of conflict may be paid such retired pay if they served in the United States merchant marine during or immediately after World War II.

IN THE HOUSE OF REPRESENTATIVES

APRIL 1, 1993

Mr. LANTOS (for himself and Ms. ESHOO) introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To amend title 10, United States Code, to provide that certain individuals who would otherwise be eligible for military retired pay for nonregular service but who did not serve on active duty during a period of conflict may be paid such retired pay if they served in the United States merchant marine during or immediately after World War II.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. REMOVAL OF LIMITATION ON PAYMENT OF**
2 **MILITARY RETIRED PAY FOR CERTAIN PER-**
3 **SONS WHO SERVED IN THE MERCHANT MA-**
4 **RINE.**

5 (a) REMOVAL OF LIMITATION.—Section 1331(c) of
6 title 10, United States Code, is amended—

7 (1) by striking out “or” at the end of para-
8 graph (1);

9 (2) by striking out the period at the end of
10 paragraph (2) and inserting in lieu thereof “; or”;
11 and

12 (3) by adding at the end the following:

13 “(3) he served in the United States merchant
14 marine after May 26, 1940, and before January 1,
15 1948—

16 “(A) while documented by an officer or
17 employee of the United States authorized by
18 law to do so; and

19 “(B) as a crew member of a vessel which
20 at the time of that service—

21 “(i) was documented in the United
22 States;

23 “(ii) was operated under the flag of
24 the United States in waters other than in-
25 land waters of the United States; and

1 “(iii) was under contract or charter
2 to, or was the property of, the Government
3 of the United States.”.

4 (b) LUMP SUM PAYMENT OF ACCRUED RETIRED
5 PAY.—The Secretary concerned (as defined in section 101
6 of title 10, United States Code) shall, within sixty days
7 after the date of the enactment of this Act, make a lump
8 sum payment to each person eligible for military retired
9 pay under chapter 67 of title 10, United States Code, by
10 reason of the amendments made by subsection (a). Such
11 payment shall be in the amount equal to the total amount
12 of retired pay that the person would have received before
13 the date of the first payment to that person pursuant to
14 those amendments if those amendments had been in effect
15 on the date that person became sixty years of age.

○